

HOUSE No. 290

By Ms. Spiliotis of Peabody, petition of Joyce A. Spiliotis that certain respiratory tract impairments be considered to have been suffered in the performance of duties of public employees. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT TO DEFINE CERTAIN DISABILITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 32 of the General Laws, as appearing in the 2000 Offi-
2 cial Edition is amended by adding the following:—
3 Section 94C. Notwithstanding the provisions of any general or
4 special law to the contrary affecting the non-contributory or con-
5 tributory retirement system, any condition or impairment of health
6 caused by any disease of the lungs or respiratory tract, resulting in
7 total disability or death of a member of such system whose
8 impairment was caused by negative environmental factors in the
9 workplace and which occurred subsequent to employment in such
10 workplace shall be presumed to have been suffered in the perfor-
11 mance of the job unless the contrary be shown by competent evi-
12 dence.